

**DISCIPLINARY REVIEW BOARD
OF THE
SUPREME COURT OF NEW JERSEY**



**ANNUAL REPORT
2013**

**Ellen A. Brodsky
Chief Counsel
Disciplinary Review Board**

DISCIPLINARY REVIEW BOARD

OF THE SUPREME COURT OF NEW JERSEY

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June 10, 2014

To the Honorable Chief Justice and Associate Justices of the Supreme Court of New Jersey:

I am pleased to submit to the Court the 2013 Annual Report of the Disciplinary Review Board. The Board concluded all matters pending from 2012. In 2013, the Board resolved 442 matters and transmitted to the Court 126 decisions in disciplinary cases.

In calendar year 2013, the Office of Board Counsel offered technological advantages to the Board by providing the Board members with electronic access to all significant documents, such as disciplinary files and legal memoranda. These documents are placed on a server, which the Board members can retrieve from any computer, via a secure link. The Office of Board Counsel, thus, furnishes Board members with files and other papers faster and more efficiently than in the past while substantially reducing the costs of reproducing and delivering these documents.

In addition, in 2013, the Office of Board Counsel collected \$421,428 in disciplinary costs assessed against attorneys. This figure is \$171,717 more than the amount collected in 2012.

The Office of Board Counsel also expanded the number of disciplinary cases available on the Internet. Board decisions with accompanying Supreme Court orders entered between 1998 and 2008 are posted on the website of the law library of Rutgers Law School – Newark.

Finally, effective October 1, 2013, Chief Counsel Julianne K. DeCore retired, after serving for more than ten years in that position. For the balance of 2013, Deputy Chief Counsel Isabel Frank served as Acting Chief Counsel and First Assistant Counsel Ellen A. Brodsky served as Acting Deputy Chief Counsel.

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As in 2013, the Board will continue to fairly and expeditiously resolve all cases before it, fulfilling its mission within the disciplinary system, as established and directed by the Court.

Respectfully submitted,

A handwritten signature in black ink, reading "Ellen A. Brodsky". The signature is written in a cursive style with a large, stylized initial "E".

Ellen A. Brodsky
Chief Counsel

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INTRODUCTION

The Disciplinary Review Board of the Supreme Court of New Jersey (Board) serves as the intermediate appellate level of the attorney disciplinary system in this state.

The district ethics committees investigate, prosecute, and recommend discipline in most disciplinary matters. The Office of Attorney Ethics (OAE) investigates grievances in selected districts and exercises statewide jurisdiction over complex and emergent matters. In some cases, the Supreme Court appoints special masters to hear disciplinary matters. The Board reviews all recommendations for discipline from the districts and from special masters. The Board's decisions as to discipline are final in all cases, subject to the Supreme Court's confirming order, except those decisions recommending disbarment. In contrast, the Board's determinations of appeals from dismissals of ethics grievances and of appeals from Fee Arbitration Committee rulings are final, with no judicial recourse.

The Supreme Court created the Board in 1978 and the Office of Disciplinary Review Board Counsel (Office of Board Counsel) in 1984. In mid-1994, the Supreme Court eliminated all private discipline and opened to the public all disciplinary proceedings after the filing and service of a formal complaint.

As part of the disciplinary system, the Board is funded exclusively by annual assessments paid by all New Jersey attorneys. In 2013, New Jersey attorneys admitted in their fifth to forty-ninth year of practice were assessed a total of \$199 to pay for the disciplinary system. Attorneys in their third and

fourth years of practice were assessed a total of \$170. Attorneys in their second year of admission were assessed \$35. Attorneys in their first year of admittance are not charged a fee.

All Board members are volunteers; however, its staff is professional. The 2013 budget for the disciplinary system, as approved by the Supreme Court, allocated \$2,339,295 to cover salaries and benefits for Office of Board Counsel employees, and an additional \$387,525 to cover the Board's operating costs.

BOARD FUNCTIONS

The Board's review is *de novo* on the record, with oral argument at the Board's discretion. The Board hears oral argument on all cases in which a district ethics committee¹ or a special master issues a report recommending discipline greater than an admonition. At the conclusion of oral argument, the Board privately deliberates about the appropriate outcome of each case, voting for either dismissal of the complaint or for the imposition of one of several forms of discipline: admonition, reprimand, censure, suspension, and disbarment. Occasionally, the Board will remand a matter for further proceedings. Office of Board Counsel then prepares a formal decision for the Board's review. Upon approval, the decision is filed with the Supreme Court.

In addition to discipline, the Board may impose certain conditions or restrictions, such as, proctorship, course requirements, proof of fitness certified by a mental health practitioner, annual audits of trust account records, return of unearned fees, and the requirement that the attorney practice in a law firm setting, or continue psychological/substance abuse therapy. In some instances, the Board may require community service.

In matters where the Board recommends disbarment, the Supreme Court automatically schedules oral argument before it. In all other instances, the Board's determination that discipline is warranted is deemed final, subject to the attorney's or the OAE's right to file a petition for review. Occasionally, the

¹ References to district ethics committees include the Committee on Attorney Advertising (R. 1:19A-1 et seq.), which considers "all ethics grievances alleging unethical conduct with respect to advertisements and other related communications" R. 1:19A-4(a).

Supreme Court, on its own motion, schedules oral argument in non-disbarment cases.

When a district ethics committee recommends an admonition, the Board reviews the matter on the written record, without oral argument. If an admonition is appropriate, the Board issues a letter of admonition without Supreme Court review. Alternatively, the Board may schedule the matter for oral argument, if it appears that greater discipline is warranted, or may dismiss the complaint. R. 1:20-15(f)(3) allows the Board to issue a letter of admonition, without Supreme Court review, in those cases where a district ethics committee recommends a reprimand, but the Board determines that an admonition is the more appropriate form of discipline.

When an attorney has been convicted of a crime, or has been disciplined in another jurisdiction, the OAE will file with the Board a Motion for Final Discipline (R. 1:20-13(c)) or a Motion for Reciprocal Discipline (R. 1:20-14), respectively. Following oral argument and the Board's deliberation, the Office of Board Counsel prepares a formal decision for the Board's review and, after approval, the decision is filed with the Supreme Court. The same post-decision procedures governing cases heard by a district ethics committee or a special master apply.

Under R. 1:20-10, motions for discipline by consent are filed directly with the Board, without a hearing below. Discipline by consent is not plea bargaining, which is not permitted in disciplinary matters. In such motions, the parties stipulate the unethical conduct, the specific Rules of Professional Conduct violated, and the level of discipline required by precedent. Following

the Board's review of the motion on the written record, it may either grant the motion, or deny it and remand the case to the district ethics committee or to the OAE for appropriate action.

If an attorney fails to timely file a verified answer to a formal ethics complaint, the district ethics committee or the OAE certifies the record directly to the Board for the imposition of discipline. R. 1:20-4(f)(2). The Board treats the matter as a default. If the attorney files a motion to vacate the default, the Board will review the motion simultaneously with the default case. If the Board vacates the default, the matter is remanded to the district ethics committee or to the OAE for a hearing. Otherwise, the Board will proceed with the review of the case on a default basis, deeming the allegations of the complaint admitted. R. 1:20-4(f)(1). A formal decision is thereafter filed with the Supreme Court.

A disciplinary matter may also come to the Board in the form of a disciplinary stipulation. In these cases, the attorney and the ethics investigator jointly submit a statement of the attorney's conduct and a stipulation specifying the Rules of Professional Conduct that were violated. The Board may accept the stipulation and impose discipline by way of formal decision filed with the Supreme Court, or it may reject it and remand the matter either for a hearing or for other appropriate resolution.

In addition, the Board reviews cases, pursuant to R. 1:20-6(c), in which the pleadings do not raise genuine disputes of material fact, the respondent does not request to be heard in mitigation, and the presenter does not request to be heard in aggravation. In those cases, the Board reviews the pleadings

and a statement of procedural history in determining the appropriate sanction to be imposed.

The Board also reviews direct appeals from grievants who claim that a district ethics committee improperly dismissed their grievance after an investigation or a hearing and from parties (both clients and attorneys) to fee arbitration proceedings who contend that at least one of the four grounds for appeal set out in R. 1:20A-3(c) exists.

BOARD MEMBERSHIP

The Board consists of nine members appointed by the Supreme Court who serve without compensation for a maximum of twelve years (four three-year appointments). Three appointees are non-lawyer, public members; one member is customarily a retired judge of the Appellate Division or of the Superior Court; the remaining five members are attorneys. In 2013, the Board was chaired by Bonnie C. Frost, Esq., and Edna Y. Baugh, Esq., was Vice-Chair.

The Board's members in 2013 were:

Chair, Bonnie C. Frost, Esq.

Ms. Frost, of Bernardsville, is a member of the firm of Einhorn, Harris, Ascher, Barbarito, Frost & Ironson, P.C. She was admitted to the New Jersey Bar in 1984 and was appointed to the Board in 2006 after serving on the Morris-Sussex Ethics Committee from 1991 to 2006 (as Secretary from 1993 to 2006). She is a Certified Matrimonial Law Attorney and the former Chair of the Family Law Section of the New Jersey State Bar Association, a former Second Vice-President of the New Jersey Chapter of the American Academy of Matrimonial Lawyers, a member of the Supreme Court Family Practice Committee, a member of the Supreme Court Committee for Standardization of Family Law, a member of the Supreme Court Special Committee on Ethics and Admissions, and a member of the New Jersey State Bar Association Appellate Practices Committee. Ms. Frost received her B.A. from Douglass College, her M.Ed. and Ed.S. from Rutgers University, and her J.D. from Seton Hall University School of Law.

Vice-Chair, Edna Y. Baugh, Esq.

Ms. Baugh, of East Orange, is a founding member of Stephens & Baugh, LLC, and is Assistant Director of Clinic Administration at Rutgers School of Law – Newark. In 1983 she was the first African-American woman to earn a Juris Doctor from Vermont Law School and was admitted to the New Jersey Bar in 1984. She was appointed to the Board in 2006. Ms. Baugh was a member of the District V-B Ethics Committee from 1998 to 2002 and is a past member of the Supreme Court Committee on the Tax Court. She was elected the first African-American President of the Girl Scout Council of Greater Essex and Hudson Counties in 1995 and is a past president of the Garden State Bar Association. She is a member of the board of trustees of Vermont Law School. In 2012 she received the president's award from the NAACP of the Oranges and Maplewood.

Bruce W. Clark, Esq.

Mr. Clark, of Pennington, is a partner at Clark Michie, LLP in Princeton. Mr. Clark concentrates in corporate and complex civil litigation, including consumer class action and mass tort defense. He was a member of the District VII Ethics Committee and was appointed to the Board in April 2008. Mr. Clark is a graduate of the University of Virginia and the George Washington University National Law Center.

Jeanne N. Doremus

Jeanne N. Doremus, of Bridgeton, is a retired educator. She is a graduate of Connecticut College with a major in government, received a master's degree from Fairleigh Dickinson University, and has taken post graduate courses related to social studies education. She taught high school social studies for sixteen years in the Vineland School District, and served as a supervisor of instruction and curriculum development for nine years. She was a member of the District I Ethics Committee for four years before being appointed to the Disciplinary Review Board in 2008. In addition to serving as a public member of the Board, Ms. Doremus is a volunteer for several local organizations.

Hon. Maurice J. Gallipoli

Judge Gallipoli, of Mountainside, was appointed to the Board in 2012 to fill the unexpired term of Judge Reginald Stanton, and then to a full-term in his own right thereafter. He served in the judiciary for 25 years from 1987 to 2012, when he reached the mandatory retirement age for Superior Court judges. He served as the Presiding Judge, Civil Part, Hudson County for many years and was the Assignment Judge for the Hudson vicinage for the last eight years of his judicial service. He is currently associated with the firm of Porzio, Bromberg & Newman, P.C., in Morristown in an "of counsel" capacity.

Thomas J. Hoberman, CPA

Thomas J. Hoberman, CPA/ABV/CFF, of Princeton, was appointed to the Board in November, 2013. A graduate of the University of Maryland, Mr. Hoberman is a partner in the Business Valuation and Forensic Accounting Services Department at the accounting and consulting firm WithumSmith+Brown.

Anne C. Singer, Esq.

Anne C. Singer, of Cherry Hill, is a partner in the Haddonfield firm of Jacobs Singer Kivitz & Herman, LLC. She was admitted to the New Jersey Bar in 1973, and was appointed to the Board in November 2013, after serving on the District IIIB Ethics Committee for several years. Her practice focuses on commercial litigation, federal criminal defense, and appeals. She served as an Assistant United States Attorney in the civil and criminal divisions of New Jersey's U.S. Attorney's Office from 1978 to 1990, clerked for Justice Robert L. Clifford of the New Jersey Supreme Court, is past Chair of the State Bar Association's Criminal Law Section, and is a member of the New Jersey Law Journal Editorial Board and of the New Jersey Supreme Court's Advisory Committee on Professional Ethics. Ms. Singer is a graduate of the University of Chicago (B.S.), University of Alabama (M.S.) and University of Cincinnati Law School, where she was editor-in chief of the law review.

Morris Yamner, Esq.

Morris Yamner, a member of the New Jersey Bar since 1962, was appointed to the Board in May 2009. He is a partner at Sills Cummis and Gross, Newark. He started his career as a judicial clerk and was then appointed a deputy attorney general. Thereafter, he practiced law in Paterson as a partner at a law firm that became Cole Yamner and Bray. He joined Sills Cummis and Gross in 1990.

Robert C. Zmirich

Robert C. Zmirich, of Mt. Laurel, was appointed to the Board in April 2009. A graduate, with honors, of the U.S. Naval Academy, he is President of Insurance Review Service, a diversified financial services and insurance firm. Prior to his appointment to the Board, Mr. Zmirich was a member of the District IIIB Ethics Committee, for four years, serving as its designated public member.

OFFICE OF BOARD COUNSEL

The Office of Board Counsel functions as a clerk's office (docketing, case processing, calendaring, distribution, and document storage), in-house counsel to the Board (providing legal research and legal advice to the Board), and a cost assessment and collection agency (assessing administrative and actual costs, collecting payments, and pursuing enforcement alternatives by filing judgments and seeking temporary suspensions for non-payment).

In early 2013, the Office of Board Counsel comprised seven attorneys (Chief Counsel, Deputy Chief Counsel, First Assistant Counsel, and four Assistant Counsel), one information technology analyst, one administrative supervisor, two administrative specialists, one technical assistant, and four secretaries. In July 2013, a new Assistant Counsel joined the office and, effective October 1, 2013, Chief Counsel Julianne K. DeCore retired.

Since 1991, the Office of Board Counsel has furnished pre-hearing memoranda to the Board in serious disciplinary cases, motions for consent to discipline greater than an admonition, and matters (such as defaults) containing novel legal or factual issues. To provide greater assistance to the Board's case review function, this policy was modified. In mid-2003, the Office of Board Counsel began supplying the Board with memoranda on all matters scheduled for consideration, except motions for temporary suspension. These in-depth memoranda set out the facts relevant to the issues raised, the applicable law, a pertinent analysis of both, and a recommendation of the appropriate level of discipline.

CASELOAD INFORMATION

The Board carried 139 matters into January 2013. See Figure 1. By December 31, 2013, all of those matters had been resolved. See Figure 2.

Of the 113 matters pending on December 31, 2013, eighteen (15.9%) were presentments; three (2.7%) were stipulations; fourteen (12.4%) were defaults; six (5.3%) were admonitions; seven (6.2%) were motions for discipline by consent; nine (8%) were motions for final discipline; three (2.7%) were motions for reciprocal discipline; fifty were fee and ethics appeals (44%); and one miscellaneous matter, one motion for temporary suspension, and one R.1:20-6(c)(1) case made up the remainder. See Figures 1 and 2. Figure 3 provides a graphic representation of the pending Board caseload at the close of 2013, as compared to year-end pending caseloads for 2009 through 2012.

During calendar year 2013, the Office of Board Counsel docketed 416 matters for review by the Board, seventeen fewer than the 433 docketed in 2012. The number of ethics appeals increased in 2013: 112 appeals were filed in 2013, while 93 were filed in 2012. The number of fee appeals filed in 2013 also increased slightly: 100 fee appeals were docketed in 2013, compared to 98 fee appeals docketed in 2012. Admonition filings decreased: twelve were docketed in 2013, and thirty-three were docketed in 2012.

In all, the Board resolved 442 of the 555 matters carried into or docketed during calendar year 2013 – a disposition rate of 79.6%. Figure 4 compares the Board's disposition rates from 2009 to 2013.

With the March 1, 1995 rule changes, the Court set specific time frames for disposition of matters at all levels of the disciplinary system. At the appellate level, pursuant to R. 1:20-8(c), recommendations for discipline are to be resolved within six months of the docket date, while all ethics and fee arbitration appeals have a three-month resolution time goal. See Figure 5.

Ethics and fee appeals processing times continued to show improvement in 2013 and were below the allotted resolution times. Similarly, the disposition rate in nearly all case-type categories was well below the resolution time guidelines.

CASELOAD INFORMATION: FIGURE 1

DRB ANNUAL ACTIVITY REPORT					
JANUARY 1, 2013 TO DECEMBER 31, 2013					
Case Type	Carried	Docketed	Total	Disposed	Pending
Admonition/Presentment	5	8	13	11	2
Admonition	11	12	23	18	5
Consent to Admonition	1	4	5	4	1
Consent to Discipline	5	25	30	23	7
Consent to Disbarment/Costs	0	15	15	15	0
Default	16	39	55	41	14
Ethics Appeal	23	112	135	112	23
Fee Appeal	31	100	131	104	27
Motion for Final Discipline	2	18	20	11	9
Motion for Reciprocal Discipline	2	5	7	4	3
Motion for Temporary Suspension	4	9	13	12	1
Miscellaneous	2	7	9	8	1
Motion for Reconsideration	1	2	3	3	0
Petition for Restoration	3	6	9	9	0
Appeal/Presentment	1	1	2	2	0
Presentment	27	39	66	50	16
Stipulation	5	11	16	13	3
R. 1:20-6(c)(1)	0	3	3	2	1
Totals	139	416	555	442	113

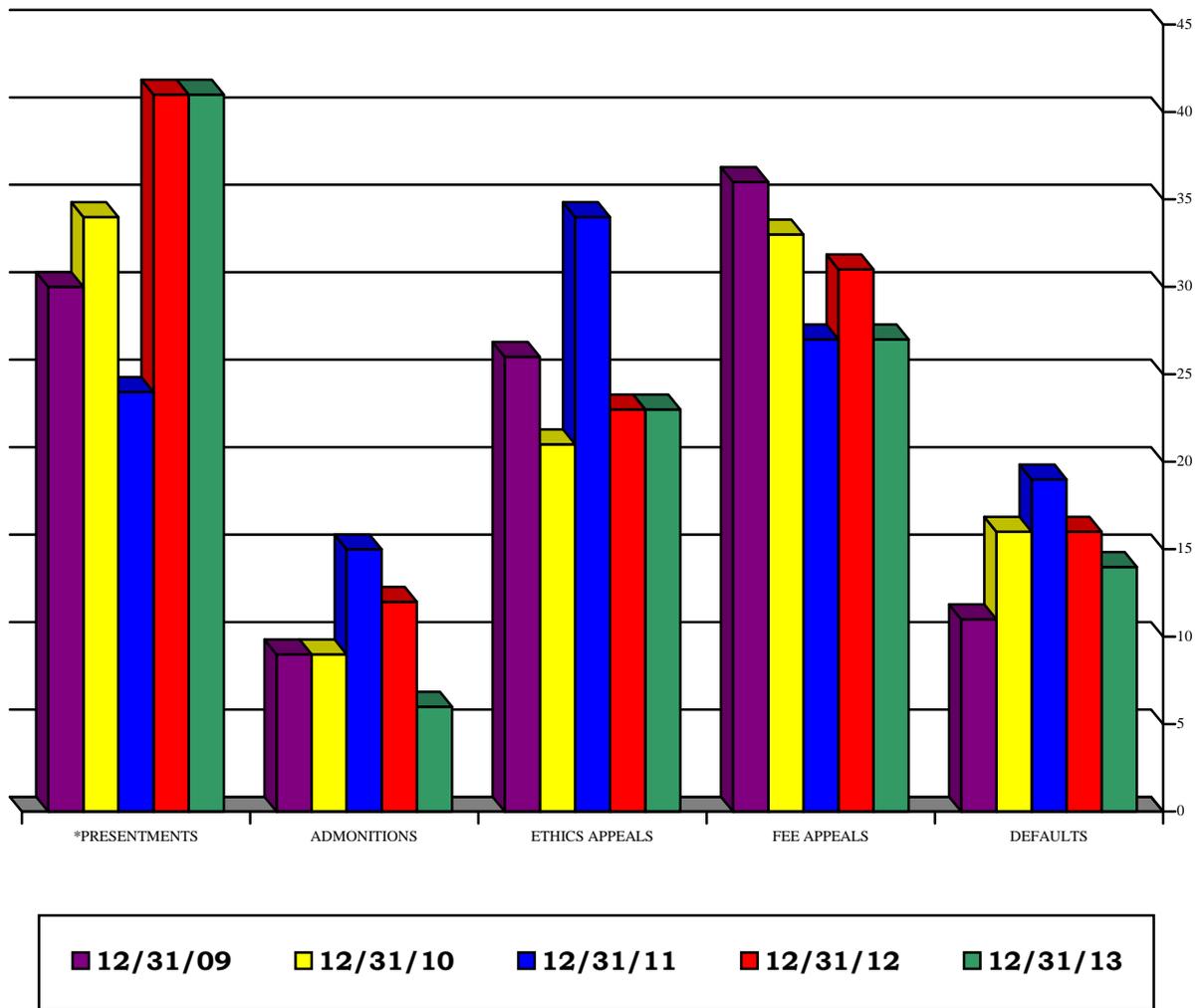
CASELOAD INFORMATION: FIGURE 2

AGE OF PENDING CASES – BY CASE TYPE				
As of December 31, 2013				
Case Type	2013	2012	Prior	Total Pending
Admonition/Presentment	2	0	0	2
Admonition	6	0	0	6
Consent to Discipline	7	0	0	7
Default	14	0	0	14
Ethics Appeal	23	0	0	23
Fee Appeal	27	0	0	27
Motion for Final Discipline	9	0	0	9
Motion for Reciprocal Discipline	3	0	0	3
<u>R. 1:20-6(c)(1)</u>	1	0	0	1
Motion for Temporary Suspension	1	0	0	1
Miscellaneous	1	0	0	1
Presentment	16	0	0	16
Stipulation	3	0	0	3
Totals	113	0	0	113

CASELOAD INFORMATION: FIGURE 3

COMPARATIVE CASELOAD ANALYSIS

Pending from 12/31/2009 to 12/31/2013



*Includes Presentments, Stipulations, Motions for Final Discipline, Motions for Reciprocal Discipline, Consents to Discipline, and R. 1:20-6(c)(1) matters.

CASELOAD INFORMATION: FIGURE 4

ANNUAL DISPOSITION RATE					
2009 - 2013					
YEAR	CARRIED	DOCKETED	TOTAL	DISPOSED	DISPOSITION RATE
2009	130	416	546	427	78%
2010	119	455	574	456	79.4%
2011	118	465	583	458	78.6%
2012	125	433	558	419	75.1%
2013	139	416	555	442	79.6%

CASELOAD INFORMATION: FIGURE 5

AVERAGE RESOLUTION TIMES FOR BOARD CASES (IN MONTHS)					
<u>R. 1:20-8(c)</u>		2010	2011	2012	2013
Discipline:					
Presentments	6	4.6	5.6	5.2	5.4
MFD	6	4.5	4.9	3.8	6.3
MRD	6	5	6	4.1	6.5
Defaults	6	4.1	4.9	4.2	5.5
Consents	6	2.8	3.6	3	5.2
Stipulations	6	4.4	5	4.5	5.5
<u>R. 1:20-6(c)(1)</u>	-	-	-	-	6.4
Admonitions:					
Standard	6	3.1	3.9	3.4	4.9
By Consent	6	2.6	2.7	3.1	5.3
Appeals:					
Ethics Appeals	3	2.75	2.6	2.8	2.25
Fee Appeals	3	3.35	2.85	2.75	2.9
Other:					
MTS	-	1	.9	.8	2.1
Petitions to Restore	-	1.9	1.7	3.3	1.8

BOARD ACTION

Discipline

In 2013, the Board rendered dispositions in fifty presentments, thirteen stipulations, four motions for reciprocal discipline, and eleven motions for final discipline. The Board decided twenty-three motions by consent for the imposition of discipline greater than an admonition that were filed with the Board.

Of the forty-one defaults resolved by the Board, two were administratively dismissed (one because of due process problems, and one because the respondent was disbarred by consent) and one was withdrawn by the OAE.

The Board reviewed twenty-nine admonition matters in 2013. Of these, thirteen resulted in letters of admonition after review on the papers; and eight were forwarded to the Supreme Court with a determination that the respondents receive more than an admonition: four reprimands, three censures, and one three-month suspension.² Eleven of the admonitions reviewed were scheduled for oral argument as presentments. In addition, the Board resolved four motions for imposition of admonition by consent: three were granted and one was denied.

² Because cases that initially were docketed as admonitions were again docketed as “admonition to presentment” cases, they were counted in both categories to arrive at the total of twenty-nine admonition matters.

The Board also reviewed and resolved twelve motions for temporary suspension, nine petitions for restoration, three motions for reconsideration, and eight miscellaneous matters.

Appeals

The Board considered 216 appeals in 2013, eighteen more than in 2012. Of the 112 ethics appeals reviewed in 2013, sixteen cases (14.3%) were remanded by the Board to the district ethics committees for further action. The 2013 percentage of remand on ethics appeals was lower than the 18.3% experienced in 2012.

The rate of remand for fee appeals was higher than for ethics appeals in 2013: of the 103 fee appeals reviewed, twenty-nine cases (28.2%) were remanded to the district fee arbitration committees, a rate higher than the 20.2% experienced in 2012. Although the reasons for fee remand varied, the majority resulted from procedural errors at the district level, including lack of adequate notice of the hearing.

SUPREME COURT ACTION

In 2013, the Office of Board Counsel transmitted to the Supreme Court a total of 126 formal decisions in presentments, stipulations, motions for temporary suspension, motions to impose discipline by consent, motions for final discipline, motions for reciprocal discipline, and default matters. In addition to those decisions, nine recommendations on petitions for reinstatement were sent to the Supreme Court.

Of the 126 formal decisions, the Supreme Court agreed with the Board's determination in 97.5% of the 80 cases for which it issued final orders in 2013. In two instances, the Supreme Court determined to impose different discipline. See Figure 6. In the cases where the Board and the Supreme Court diverged, the differences were as to the degree of discipline, rather than factual or legal findings. In one matter, the Supreme Court imposed discipline greater than did the Board; the Supreme Court imposed a lesser degree of discipline in one matter.

SUPREME COURT ACTION: FIGURE 6

2013 DISCIPLINE COMPARISON

SUPREME COURT DISCIPLINE GREATER THAN DRB DECISION		
ATTORNEY	DISCIPLINARY REVIEW BOARD DECISION	SUPREME COURT ACTION
STEVEN SAVAGE	CENSURE	3 MONTH SUSPENSION

SUPREME COURT DISCIPLINE LESS THAN DRB DECISION		
ATTORNEY	DISCIPLINARY REVIEW BOARD DECISION	SUPREME COURT ACTION
ROGER WEIL	3 MONTH SUSPENSION	CENSURE

COLLECTION OF ADMINISTRATIVE COSTS

The Board uniformly assesses administrative costs in all discipline cases, including admonitions. The Supreme Court's final order of discipline generally includes a requirement that the respondent pay the administrative costs of the action to the Disciplinary Oversight Committee. Since the adoption of R. 1:20-17 in 1995, administrative costs have included a flat charge for basic administrative costs, ranging from \$650 to \$2,000 per case, depending on case type, plus disciplinary expenses actually incurred, such as payments made by the disciplinary system for transcripts, court reporter services, file reproduction costs, and other out-of-pocket expenditures.

The Office of Board Counsel assesses and collects costs and, in certain cases, monetary sanctions on behalf of the Disciplinary Oversight Committee. R. 1:20-17 provides various avenues of recourse for collection where an attorney fails to pay assessed costs, including automatic temporary suspension and entry of judgment. By the end of 2012, the Office of Board Counsel was current with cost assessment in every case where the Supreme Court ordered costs to be paid. In 2013, the Supreme Court accepted consents to disbarment in fifteen matters unrelated to Board cases. Nevertheless, Office of Board Counsel staff assessed and began the collection process for Court-ordered costs in those matters, pursuant to R. 1:20-17.

During calendar year 2013, the Office of Board Counsel assessed disciplined attorneys a total of \$593,517. In 2013, the Office of Board Counsel collected \$421,428 which represented costs that were assessed in 2013 and

prior years. This was \$171,717 more than the amount collected in 2012 (\$249,711).

The Office of Board Counsel filed six motions for temporary suspension in 2013 against respondents who failed to satisfy their cost obligations. The amount due from those respondents was \$16,900 and a total of \$12,240 was collected as a result of the motions. 178 judgments were filed in 2013 totaling \$460,454. Payments totaling \$13,961 were received on those judgments.

The Office of Board Counsel also processes and collects payments of monetary sanctions that the Board imposes on respondents, typically when the OAE files a motion for temporary suspension to enforce a fee arbitration award. The Board imposed three such sanctions in 2013, totaling \$1,000, of which none was paid.

CONCLUSION

During calendar year 2014, the Board will continue to make every effort to ensure that its caseload remains under control. The Board strives for the prompt and fair disposition of all matters before it in order to effectively serve the primary goals of the attorney disciplinary process -- protection of the public and maintenance of public confidence in the bar.